

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

NICHOLAS S. BACON,)
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)
Plaintiff,) CV419-155
)
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v.)
)
SERGEANT MARTINEZ, *et al.*,)
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)
)
Defendants.)

ORDER

Proceeding *pro se* and *in forma pauperis*, plaintiff Nicholas S. Bacon brought this Complaint alleging multiple constitutional violations and torts. Doc. 1. The Court previously recommended the dismissal of this case for plaintiff's failure to comply with its order requiring certain financial documents to be provided. Doc. 5. Following plaintiff's objection and notice of changed address, doc. 7 & 8, the Court granted additional time to comply with its order. Doc. 9. As plaintiff filed the required documents by the extended deadline, the Court **VACATES** its earlier recommendation of dismissal. Doc. 5

As plaintiff has been granted *in forma pauperis* status, the Court must screen the Complaint pursuant to 28 U.S.C. §1915(e), which requires the *sua sponte* dismissal of a complaint when it is determined that it “(i) is frivolous or malicious; (2) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.” 28 U.S.C. §1915(e)(2)(B). The complaint, as currently drafted, is inadequate to allow such review.

Rather than using the standard form for a prisoner complaint, plaintiff filed what he styles as a “Supplemental Complaint.”¹ Doc. 1. Though technically sufficient to satisfy the requirements of Federal Rule of Civil Procedure 8(a), the supplemental complaint lacks information needed by the Court to complete its review, including a listing of any past or pending lawsuits brought while incarcerated and a statement of any steps taken to resolve the dispute through an internal administrative process, such as a prison grievance system. Plaintiff is **DIRECTED** to file an amended complaint within 30 days of this Order using the

¹ The Court is not aware of any earlier complaint in this matter to be supplemented. It is possible that plaintiff intended this complaint as a supplement to a parallel case that was pending before the Court at the time of its filing. See *Bacon v. Edwards, et al.*, CV419-093 (S.D. Ga. Apr. 29, 2019).

standard prisoner complaint form. The Clerk of Court is **DIRECTED** to forward with this Order a copy of the form (Form Pro Se 14) to be used by prisoners in filing a complaint under the civil rights act, 42 U.S.C. § 1983, and accompanying instructions.

SO ORDERED, this 25th day of August, 2020.



CHRISTOPHER L. RAY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA